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UNITED STATES OF AMERICA

UNITED STATES DISTRICT COURT

FOR THE CENTRAL DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

DURK BANKS, et al.,

Defendants.

No. CR 24-621(B)-MWF

GOVERNMENT'S NOTICE OF LODGING
UNDER SEAL EXHIBIT REGARDING
IMPROPER PHOTOGRAPH TAKEN DURING
THE NOVEMBER 18 HEARING AND
PUBLISHED ONLINE

Plaintiff United States of America hereby files this Notice of
Lodging an Under Seal Exhibit Regarding an Improper Photograph Taken
During the November 18, 2025 Hearing and Published Online.

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1 This filing is based upon the attached memorandum of points and
2 authorities, the attached exhibit (Under Seal), the files and records
3 in this case, and such further evidence and argument as the Court may
4 permit.

5 Dated: November 19, 2025

Respectfully submitted,

6 BILAL A. ESSAYLI
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8 ALEXANDER B. SCHWAB
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10 /s/

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MEMORANDUM OF POINTS AND AUTHORITIES

On November 18, 2025, this Court held a hearing on multiple pretrial motions, including the government's motion requesting that the Court empanel an anonymous jury. Among other things, the government's motion explained that an anonymous jury was necessary because of the significant risk of interference with witnesses and the judicial process, see Dkt. 235 at 10-14, and due to the extensive and continuous national publicity in this case, see id. at 14-26. Consistent with these concerns, the government received information today that at least one photograph was taken during the hearing, depicting certain defendants and counsel. (See Exhibit [Under Seal].) The photograph --- taken in violation of Fed. R. Crim. P. 53 (prohibiting courtroom photographing) --- has been published on at least three different websites (Reddit, Instagram, and Facebook). This blatant violation of the federal rules, and the following widespread dissemination of the photograph, underscores that an anonymous jury is only one of the security measures this Court should employ to prevent improper attempts to intimidate and/or influence jurors, ensure a fair trial for all parties, and protect the judicial process.